

**CRIMINAL JUSTICE SERVICES BOARD
COMMITTEE ON TRAINING**

MINUTES

October 9, 2003

A meeting of the Criminal Justice Services Board Committee on Training (COT) convened at 9:00 a.m. on Thursday, October 9, 2003, in House Room D of the General Assembly Building in Richmond, Virginia.

Members Present

Captain George L. Daniels, Jr. (*Proxy for Colonel Steve Flaherty, Superintendent,
Virginia State Police*)

Mr. Thomas W. Fore, Sr.

Chief Atlas L. Gaskins

Mr. Frederick A. Hodnett, Jr. (*Proxy for Robert N. Baldwin, Executive Secretary,
Supreme Court of Virginia*)

Dr. Jay W. Malcan

Chief Dennis Mook

Ms. Mary Kay Wakefield, Chair

Mr. Christopher Webb

Members Absent

Sheriff Beth Arthur

Ms. Linda D. Curtis, Vice-Chair

Mr. Gerald P. Eggleston (*Proxy for Gene Johnson, Director, Department of Corrections*)

Colonel Andre Parker

DCJS Staff Present

Leon Baker
George B. Gotschalk, Jr.
Amanda West

Dale Kastelberg
Daniel Gilmore

Others Present

Bonnie Atwood, David Bailey Associates
Vince Ferrara, Hampton Roads Criminal Justice Training Academy
William Flink, Central Shenandoah Criminal Justice Academy
Steve Mahoney, Crater Criminal Justice Training Academy
Richard Schumaker, Cardinal Criminal Justice Academy

Call to Order

The meeting was called to order by Chairman Wakefield at 9:00 a.m. The roll was called with eight members present, constituting a quorum. The Chairman asked if there were any questions or comments regarding the minutes of the last meeting. Hearing none, she asked for a motion to approve the minutes as written. Motion was made and seconded, and the minutes were approved.

Old Business

A. Curriculum Review Committee Appointments -- George Gotschalk

Chairman Wakefield said that the first item on the agenda was to have been presented by Ms. Judy Kirkendall. However, since Ms. Kirkendall has a broken wrist and was out on sick leave, George Gotschalk volunteered to give the report in her absence.

Mr. Gotschalk reported that there were nine appointees to the Curriculum Review Committee. Listed below are their names for approval by the Committee on Training:

Captain George Daniel, Virginia State Police Academy (Term: 2001-2004)
Charles E. Long, Piedmont Reg. Criminal Justice Training Academy (Term: 2001-2004)
Major Lee Williams, Fairfax County Criminal Justice Academy (Term: 2001-2004)
Lieutenant Keith L. Sidwell, Roanoke City Police Academy (Term: 2002-2005)
Edward J. Evers, Rappahannock Reg. Criminal Justice Academy (Term: 2002-2005)
N. David Michalski, Chesapeake Police Academy (Term: 2002-2005)
Captain Sharon L. Chamberlin, Norfolk Police Academy (Term: 2003-2006)
Vince Ferrara, Hampton Roads Reg. Criminal Justice Academy (Term: 2003-2006)
Edward F. Sulzbach, Central Virginia Criminal Justice Academy (Term: 2003-2006)

Chairman Wakefield asked if there were any questions. Mr. Gotschalk indicated that William L. Flink, Central Shenandoah Criminal Justice Academy, would like to have Steve R. Mahoney, Crater Criminal Justice Academy, added to the list of Curriculum Review Committee members.

Chairman Wakefield asked for a motion to approve the names as presented in the report. A motion was made and seconded to approve the Curriculum Review Committee members as presented by Mr. Gotschalk. The motion was unanimously carried and the committee members were approved as presented.

B. Speed Measurement Advisory Committee Report -- George Gotschalk

Chairman Wakefield moved on to the next item on the agenda, a report to be given by Mr. Gotschalk on the Speed Measurement Advisory Committee's findings.

Mr. Gotschalk indicated that, previously, members of the Committee on Training (COT) had been advised that the Department of Criminal Justice Services (DCJS) was looking to amend the instructor rules, and the guidelines concerning the training of law enforcement officers on the use of speed measurement devices. We have used in the past a committee consisting of practitioners that advised us on radar training issues.

Effective July 1, 2003, all law enforcement agencies may use LIDAR as a speed measurement instrument. Before July 1st, any locality desiring to use LIDAR had to be specifically mentioned in the *Code of Virginia*. That is no longer the case.

We had some issues with the allowance of LIDAR on a statewide basis. First, the instructor school is 40 hours in length at the present just for radar. Second, it is difficult at best to find the necessary time for training personnel now. Additional requirements would create difficulties.

Paul Clark, one of our regional field coordinators, had been working on this issue before his retirement. He and the members of the committee planned, coordinated, and conducted a 40-hour Speed Measurement Instructor's School as a pilot test to see if they could include the used speed measurement devices in one program without increasing its length. We considered the initial offering a success. We felt that it accomplished those training objectives that we wanted to include and did not increase the length of the school. Now we have two initiatives in front of us.

First, we will be recommending a change to the current Radar Training Guidelines and changing the title to "Speed Measurement Training Guidelines". This training is NOT mandatory. Many of you will recall that we tried several years ago to create training rules in this area. We received almost unanimous support. However, the Governor refused to sign-off on the rules and they could not be finally adopted.

I will be providing these guidelines to the academy directors as well to get any feedback. At the next meeting of the Committee on Training, I will ask for the Committee to consider adopting these guidelines for distribution to all law enforcement agencies.

Secondly will be the amendment of the instructor rules. We sent two letters to the Office of the Attorney General in June. The purpose of the letters was to obtain confirmation that the Committee on Training and the Board have the authority to amend rules. I have not heard any response from those letters. I called last week to determine the status of the letters, only to find that somewhere along the line no one had seen either letter. The letters have been re-sent to obtain permission to institute the Administrative Process Act to amend the Instructor Rules.

One of the suggestions in those rules will be to create a “speed measurement instructor”. We will be recommending, at the request of the committee, to change the instructor name from “Radar Instructor” to “Speed Measurement Instructor”. The training time will remain the same. It will be a 40-hour school just as it is now.

I wanted to brief you today to prepare you for our next meeting. Are there any questions? Hearing no questions, Chairman Wakefield moved to the next item on the agenda.

C. Law Enforcement Certification Exam -- George Gotschalk

Chairman Wakefield stated that the next item on the agenda, an update on the law enforcement certification exam, is also to be given by George Gotschalk.

This is an update on the requirement for a law enforcement officer to successfully complete a certification examination, which began July 1, 2003. There is great concern over the effect that this examination will have on potential law enforcement officers, and both the Virginia Association of Chiefs of Police (VACP) and the academy training directors have expressed their concerns.

Originally, since it was employment-related, I believed that this exam would only apply to those individuals employed *after* July 1, 2003. Our representative at the Attorney General’s (AG) Office advised otherwise and, therefore, it impacts *anyone* not certified as of July 1, 2003.

The AG’s Office did advise that DCJS has control over two issues pertaining to the test. First, we can remove a question if inordinate amounts of people are failing a particular question. Usually, that means the question is poorly structured and worded, or that the material was either improperly taught or not taught at all.

The other area of control is the test score. We can establish a passing score as we determine what would be appropriate. In conducting the pilot test, we used 70% as a passing grade for each grading category. We also kept computerized records of the results, not only for each academy who received results, but on each individual question.

From the date of the introduction of the legislation mandating this test, we have indicated that the development of the test and the validation of the test should be conducted by a person or group who has that particular expertise. Our budget requests to address this issue were never considered. Director Cooke, in discussing this issue with VACP, indicated that DCJS would

make a concerted effort to find funds for a private group to develop lesson plan study guides, test questions, and conduct validation studies. We hope to be able to address that issue very soon.

In the interim, we do NOT have a validated certification exam to administer. However, we have done a few things to attempt to alleviate any problems we may encounter in this process. First, we have removed the requirement for a 70% passing score for each grading category, and determined that it should be 70% overall. If you ask why 70% was selected, it was the passing score used over the years in our rules for various classes, and is a score used by many academies as a measure by which the student may remain in the academy.

Secondly, the entire certification exam has been reviewed to determine if the questions meet the objectives, to determine clarity of all the questions, to determine if the questions are grammatically correct, and to determine if the 2,000 students already tested had any difficulties with the questions.

The Review Group for the Certification Exam included:

William L. Flink, Central Shenandoah Criminal Justice Academy
Vince Ferrara, Hampton Roads Criminal Justice Training Academy
Gary L. Bullard, Northern Virginia Criminal Justice Academy
Don Hannucksula, Crater Criminal Justice Academy
Ron Staton, Central Virginia Criminal Justice Academy
Captain Sharon L. Chamberlain, Norfolk Police Academy
Ron Gagne, Virginia State Police Academy
Major Lee Williams, Fairfax County Criminal Justice Academy
Dana Schrad, Virginia Association of Chiefs of Police
Central Shenandoah's Legal Attorney
From DCJS: Leon Baker, Doug Cooley, George Gotschalk

The first test using the totally reviewed exam will be this week. We anticipate having tested over 200 students by the end of October. That should give us a good read on any problems being encountered on any of the questions in the new test.

The Committee on Training is the policy-making body concerning training-related issues. The staff at DCJS want to ensure members of the COT that we are doing everything we can to follow the requirements of the law and the will of the Committee on Training. Are there any questions, issues, or suggestions that the members would like to raise?

Chairman Wakefield, without further discussion from the audience or members of the Committee on Training, moved on to the next agenda item.

New Business

A. Virginia Crime Analysis Network -- Amanda West

Chairman Wakefield introduced Ms. Amanda West of the Crime Prevention Center of the Department of Criminal Justice Services. Ms. West will give us a report on the Virginia Crime Analysis Network.

Ms. West stated that the Virginia Crime Analysis Network (VCAN) was established in order to network on a cross-jurisdictional basis about crimes, software, crime mapping, and records. The Crime Prevention Center has been sponsoring crime analysis training since 1994, and has trained over 350 analysts in basic crime analysis.

The Virginia Crime Analysis Vendor Fair was created in 2000 and was a huge success. Since that first fair, it has become an annual event attracting national speakers on crime analysis. This event attracts vendors that produce crime-mapping software, database software, and other geographic information system (GIS) resources that are useful to crime analysts. The event has also attracted more than 150 crime analysts in Virginia.

Just to give a brief overview of VCAN, we had VCAN meetings in May 2002 and April 2003, both of which were held in Richmond. There was one in August 2003, held in Charlottesville, where we developed VCAN By-Laws and a website: <http://vcan.vabhost.com/>. After the first meeting in May 2002, three subcommittees were formed: the Certification Committee, the Training Committee, and the VCAN Network Committee. Since the initial meeting, we have eliminated the Network Committee and have established an Events Committee.

VCAN will pursue legislation for the 2004 General Assembly for a Certified Crime Analyst (CCA) certification. The Certification Subcommittee has proposed requirements for the CCA; works with the Training Subcommittee on approved training for the CCA; and will recommend to the VCAN Executive Board to pursue CCA for legislation.

Proposed CCA requirements include training, work experience, and recommendation as follows:

1. Training: 160 hours of any approved class that directly relates to Crime Analysis objectives. 40 hours must be from a Basic Level. 80 hours can be any advanced or specialized classes, including college courses or professional classes. At least 40 hours must be within the last 3 years.
2. Work Experience: 3 years employed as a Crime Analyst with a four-year degree from an accredited college (Bachelor's); or 5 years employed as a Crime Analyst with a two-year degree (Associates) or no formal education.
3. Recommendation: 2 written recommendations from other analysts (must be an active VCAN member from another jurisdiction) to verify and validate work from the requesting analyst. Approval from an analyst's supervisor and head of agency.

4. Recertification: Requires 40 hours of training, which must be completed every 3 years for re-certification.

Members of VCAN's Executive Board include the following:

President:	Lynn Brewer, Newport News
Vice-President:	Linda Cross, Richmond
Treasurer:	Jennifer Schiro, Orange County
Secretary:	Ife Alexander-Caines, Newport News
Membership Director:	Alan Ball, Virginia Beach
Certification Representative:	Tom Dover, Henrico
Training Representative:	Dr. Isaac Van Patten, Radford University
DCJS Representative:	Amanda West

VCAN training will be offered at our Fall Symposium, which is to be held on November 13, 2003, in Ashland. Also, our first VCAN Conference will be held April 26-27, 2004, in combination with the Community Oriented Justice Conference (DCJS) and the Governor's Summit.

Amanda West asked if there were any questions. Hearing none, Chairman Wakefield thanked Ms. West for her presentation.

Public Comment

At this time, Chairman Wakefield asked if there was anyone in the audience who wished to comment on the meeting so far, or if anyone had any questions of the Committee on Training within its purview. Since there was no one wishing to address the Committee, Chairman Wakefield moved on to the next agenda item.

Election of Officers

Chairman Wakefield opened the floor to nominations for the offices of Chairman and Vice-Chairman.

Mr. Webb made a motion to nominate Mary Kay Wakefield for Chairman. Dr. Malcan seconded the motion. The Committee voted unanimously to approve Ms. Wakefield as Chairman.

Chief Mook made a motion to nominate Linda D. Curtis for Vice-Chairman. Mr. Webb seconded the motion. The Committee voted unanimously to approve Ms. Curtis as Vice-Chairman.

Next Meeting

Chairman Wakefield asked once again if there were any questions from the audience or if anyone in the audience wished to speak to the COT. Hearing none, Chairman Wakefield indicated that the next meeting is scheduled for December 11, 2003. The details of that meeting will be forthcoming at a later date.

Adjournment

Chairman Wakefield asked if there was a motion to adjourn. Motion was made and passed and the meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Dale B. Kastelberg
Recording Secretary

Approved: _____

Mary Kay Wakefield
Chair

Date: _____